



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
STATE FIRE MARSHAL'S OFFICE
CODES ENFORCEMENT SECTION**
Davy Crockett Tower, Third Floor
500 James Robertson Parkway
Nashville, Tennessee 37243-1162
Phone (615) 741-7190
FAX: 741-1583

MODULAR MEMORANDUM

NO. 2004-08

**RE: Structures Exempt from the Tennessee Modular Building Act,
Tennessee Code Annotated, 68-126-301 (Temporary/Relocatable)**

DATE: August 24, 2004

We have had several inquiries regarding the type units which are exempt from the **Tennessee Modular Building Act, Tennessee Code Annotated, Section 68, Chapter 126, Part 3.**

Tennessee Code Annotated, Section 68, Chapter 126, Part 3, Section 68-126-303(6) defines "**Modular Building Unit**" as:

- "(6) **"Modular building unit"** means a structural unit, or preassembled component unit including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site. "Modular building unit" does not apply to temporary structures used exclusively for construction purposes or nonresidential farm buildings. [Acts 1985, ch. 309, § 3; 1987, ch. 120, §§ 14-16; T.C.A., 68-36-303.]"

The temporary structures used exclusively for construction purposes and non-residential farm buildings are very specifically exempted from the **Tennessee Modular Building Act, Tennessee Code Annotated, Section 68, Chapter 126, Part 3.** Those structures "**designed for ready removal to another site**" may be a bit confusing, however this office is using the following guidelines in determining whether a unit is "**designed for ready removal to another site**".

- (A) Examples of units which would be classified as being "**designed for ready removal to another site**" would be:
- (1) Units build on "**skids**" and can be winched upon a truck or trailer and transported to another site.

- (2) Single-wide units on steel chassis with springs, axles, and tires, left on, or removed leaving the spring hangers intact. A removable ("bolt on") "A" frame hitch assembly may be left on or removed, but must be left with the unit. These units must be designed for support by piers under the "I" beams.
- (3) Multi-wide units meeting the same specifications as single-wide units in two (2) above with the added requirement that they must be so designed as to facilitate disassembly and reassembly quickly without damaging the mating surfaces and the surrounding surfaces.
- (4) Any other unit which is not designed for permanent installation.
- (5) The unit must be inspected by an approved Construction Inspection Agency (CIA) and bear their certification label.
- (6) The owner of the unit must provide this office with a letter stating that the unit is for temporary usage only and that the unit will be removed after one (1) year from the date of placement.

All of the above units must be accompanied by Manufacturer's certification that they are not designed for permanent installation and that they are **"designed for ready removal to another site"**. Any of the above units submitted to this office for a **"Notification of Receipt and Filing"** letter must have a notation block on the cover sheet stating the following information:

"THIS UNIT IS DESIGNED FOR READY REMOVAL TO ANOTHER SITE AND DOES NOT MEET THE REQUIREMENTS SET FORTH IN T.C.A. 68-126-301., TENNESSEE MODULAR BUILDING ACT."

- (B) All structures exempt from the **Tennessee Modular Building Act, Tennessee Code Annotated, Section 68, Chapter 126, Part 3**, must meet all the requirements of the local Building Codes Departments and the State of Tennessee Electrical Section. This would also apply to **all used relocated Tennessee Modular Building Units.**

If you have any questions regarding this matter, please contact the Tennessee Modular Building Program at (615) 741-7190.